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File No. Essential Supplies II/48

Legal DEPARTMENT

B BRANCH

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Subject:—

Rules and Notifications under the

Bombay Essential Supplies

(Temporary Powers)

Act, 1946.

P.H.S

(F)

File No. Essen Supplies II/48

Std. Sectt. Slip 24 B e.

302-B.

Civil Supplies Department.
Bombay Castle,, May 1948.

Essential Supplies (Temporary powers) Act. 1946.

ORDER.

No. 390/F.A.C./VI. In exercise of the powers conferred by section 3 of theEssential Supplies (Temporary Powers) Act, 1946, (XXIV of 1946), read with the Government of India, Department of Food Notification No. PY*603(2)-I, dated the 21st Octol 1946, and in supersession of Government Order, Civ Supplies Department, No. 390/F.A.C./VI, dated the 24th January 1947, the Government of Bombay is pleased, with the provious concurrence of the Cant Government, to direct that --

(1) except under the authority of a written permit granted by the Supply Commissioner, Bombay

(a) no person, or body of persons acting in concert either jointly of severally, otherthan a caterer or caterers, at or in connection with one or more parti entertainment to or functions, - social, religious or otherwise, and

(b) no gaterer at theinstance or for the benefit of himselfor any person in connection with one or more of his or such person's parties, entertain or functions, - social, religious o otherwise, -

shall on any one day in the City of Bombay and th Bombay Suburban District either himself or themselves or through an agent or agents serve, distribute or provide for consumption, or accept contribute for service or distribution for consu on any foodgrains, eatables, milk or any bever other than tea or coffee in which milk is used, twenty-five or more persons (including theperson persons so serving, distributing or providing

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accepting or contributing for such service or distribution) or prepare or cause to be prepared food consisting of any of the said articles for consumption by such number of persons at or in connection with such parties, entertainments or functions ;

(2) no person shall in the City of Bombay and the Bombay Suburban District accept or consume any foodgrains, eatables, milk or any beverage other than tea or coffee in which milk is used, when served, distributed or provided for consumption by any person or body of persons acting in concert either jointly or severally at or in connection with one of more parties, entertainments or functions - social, religious or otherwise- in the company of others if the total number of persons so accepting or consuming in such company(including the person or persons so serving, distributing, or providing) exceeds twenty-four and the person or personsso serving, distributing or providing would thereby be liable for contravening the provisions of sub-clause (1).

Explanation : For the purposes of this order, a function shall include a meeting of the members of a club or association where at any business in furtherance of the objects of such club or association is transacted.

2. This order shall come into force with effect from the day of 1948.

By order of the Governor of Bombay.

Secretary to Government.

Office of the R.L.A.

A revised draft order is sent herewith.

2. As regards the proposal to make the guests or participents in the feast also liable to punishment, the skxxxx clause as drafted by the C.S.D. wouldlead to ore than on co plication. The clause as as drafted by the D.C.S. provides that no person shall on any one day accept or consume any foodgrains, eatables etc. from any person if thereby the letter person would contravene the provisions of sub-clause (1) of the Order. The liability of the person accepting eatables etc. is made dependent on theperson offering the some contravening the order. This appears to be rather vague. In the first place as distribution to upto 24 persons is permissible, theliability will arise only if the person participating ranks No. 25 or above. It will not be possible for him to know this unless he takes part in thefeast along with others. Secondly it may happen that by the time he accepted the food only 24 persons were served but subsequently during his absence other persons were served in thecourse of the day. This would make him laible for an act which was not an offence when done by him. For this reason theproposal to makesuch person liable for accepting food "on any one day" is not feasible, andthe order would not be workable in practice. The most that can be done would be to prohibit the accepting of food by a person at one time in the Company of others if the total number of such persons exceeds twenty-four. The clause has been recast accordingly.

P.M.Lad

Remembrancer of Legal Affairs.

U.R. to C.S.D. No. 4877 , dated the 21st May 1948.

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R.I.No. 338- Confl.
6-8-48.

The Govt. of Bombay pointed out to the Govt. of India that theBombay Food grains (Control of Movement) order, 1947, prohibits movement of food grains to other provinces and States within the Dominion of India. It further pointed out that it is not clear whether Hyderabad State is a State within the Dominion of India under the standstill agreement. As the Bombay Govt. was anxious that thefood grains to theHyderbad State should be banned it sought the advice of the General Govt. about the correct procedure to be followed. The Central Govt. by their letter in theMm Ministry of Food at p. 31 stated that exports to Hyderabad cannot be regulated under the Bombay Food grains (movement of Control) Order,, 1947, and that such exports can only be controlled under theimports and Exports Control Act, 1947, The Central Govt. therefore inquired of the Bombay Govt. whether the action thereunder should be taken. The Bombay Govt. in their further letter at p. 29 pointed out certain practical difficulties in theGovt. of India proposal andrequested the Central Govt. to give suitable instructions. The Central Govt ultimately in their letter at p. 43 advised the Bombay Govt. that foodgrains to Hyderbad should be regulated by an Order under the Essential Supplies Temporary Powers Act, 1946 on the lines of theC.P. and Berar Border Areas (Foodgrains Restrictions) Order, 1948, The Civil Supplies Dept. has accordingly sent a draft on the lines of the Central Provinces and Berar Border Areas (Foodgrains Restrictions) Order, 1948 (copy at p. 49) and has requested R.L.A. to scrutinize it from the legal point of view.

2. Subject to thefollwoing observations a revised draft Order inplace of the draft at pages 63-65 is sent herewith.

2. The Bombay Govt. is competent to issue an order relating to foodgrains in virtue of the provisions of section 4 of the Essential Supplies Temppary Powers) Act, 1946, read with the Ministry of Food Notification No. PY 603(2)1, dated the 21st October 1946. This notification of delegation has been amended by theGovt. of India from time to time and by the amended notified in the Ministry of Food notification No. PY 603(2)/X. dated the 29th January 1948, the power of the Provl. Govt. to make an order in respect of pulses other than gram has been taken away from it. The Govt. of Bombay istherefore no longer competent to k make anorder in respect ofpulses other than gram. The C.S.D. draft Order in so far as it relates to "pules of all kinds" is not therefore in order. Those words therefore have been deleted from the draft Order.

3. The following observations are made with regard to the clauses of the draft order.

CLAUSE I. The words "Indian States merged in the Province" do not convey any definite areas. It is necessary to specify thenames of the States in the Order itself. The names of such States should be specified under Schedule I.

Clause 3(2).- The intention xx is that the Bombay Foodgrains (Control of Movement) Order, 1947, should apply to the border areas in a district, in which it is already in force and that theIndianStates Foodgrains (Control ofMovement) Order, 1948 should apply to the Border areas in an Indian State in which it is already in force. This intention has been made clear by dividing the clause further.

Clause 4 of the revised Order.- This new clause has been added to specifically provide for exempting from the ppovisions of the Order, foodgrains consigned by the Provl. Govt.

to Hyderabad Govt. or any officer nominated by them as desired by the Govt. of India in their at p. 48.

Clause 4 of the C.S.D. Order (Clause 5 of the revised Order.) The different quantities have been provided for in the draft clause 4, one for the foodgrains, specified in the draft Order and another for the pulses of all kinds which are regulated either by the Bombay Foodgrains Control Order or the Indian States Foodgrains Control Order, 1948. Since the item re. pulses of all kinds has been deleted for the reasons stated above, there is no necessity for specifying two different quantities now.

Revised clause 4(5)(d) :- Condition 5 of form A in Sch. I to the Bombay Foodgrains Control Order, 1947, and condition 5 of Form A in Sch. VI to the In. States Foodgrains Control Order, require to be amended consequenially as a result of the amendment made in clause 2(d) andclause 2(e) of the Bombay Food grains Control Order, 1947 andthe In . States Foodgrains Control Order, 1948 respectively.

A revised draft notification in place of the notification at p. 67 is also sent herewith.

Sd/ 9-8

Addl Secy.

A revised draft order on the lines amended by the Addl. Secy is put up for approval.

A draft reply is also put up for approval.

Sd/ 11-8

Addl Secy Sd/ 12-8

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Legal Department.

Subject to the following observations a revised draft Order to place of the draft at pages 63-65 is sent herewith.

2. The Bombay Government is competent to issue an order relating to "foodgrains" in virtue of the provisions of section 4 of the Essential Supplies (Temporary Powers) Act, 1946, read with the Ministry of Food Notification No. PY 603(2)/1, dated the 21st October 1946. This notification of delegation has been amended by the Government of India from time to time and by the amendment notified in the Ministry of Food Notification No. PY 603(2)/X, dated the 29th January 1948, thepower of the Provincial Government to make an order in respect of pulses other than gram has been taken away from it. The Government of Bombay is therefore no longer competent to makean order in respect of Pulses other than gram. The Civil Supplies Department draft Order in so far as it relates to "pulses of all kinds" is not therefore in order. Those words therefore have been deleted from the draft order.

3. The follwoing observations are made with regard to the clauses of the draft Order.

Clause 1.- The words "Indian States merged in the Province " do not convey any definite areas. It is necessary to specify the names of theStates in the Order itself. The names of such States should be specified under Schedule I.

Clause 3(2):- The intention is that the Bombay Foodgrains (Control of Movement) Order, 1947, should apply to theborder areas in a district, in which it is already in force and that theIndian States Foodgrains (Control of Movement) Order, 1948. Should apply to theborder areas in an Indian State in which it is already in force in so far as they lay down the procedure for obtaining permits. Instead of asking the people to follow the relevant

Provisions of the 'Bombay Food grains (control of Movement)

Order, 1947, and the Indian States Foodgrains (control of Movement) Order, 1948, in regard to permit under the proposed orders , it is better to make the necessary provisions in the Order itself.The necessary provisions has been made in the revised Order.

Clause 8 of the revised Order :- This new clause has been added to specifically provide for exempting from the provisions of the Order. Foodgrains consigned by the Provincial Government to Hyderabad Government or any officer nominated by them, as desired by the Government of India in their letter at page 43.

Clause 4 of theC.S.D. Order (clause 9 of the revised Order):- Two different quantities have been provided for in the draft clause 4, one for the food-grains specified in the draft Order andanother m for the 1 pulses of all kinds which are not regulated either by the Bombay Foodgrains Control Order or the Indian States Foodgrains Control Order, 1948. Since the item re. pulses of all kinds has been deleted for the reasons statted above, there is no necessity of specifying two different quantities now.

Revised clause 9(d) :- Condition 5 of form A in Schedule I to the Bombay FoodgrainsControl Order, 1947, and condition 5 of form A in Schedule VI to the Indian States Foodgrains Control Order, require to be amended consequentially as a result of the amendment made in clause 2(d) and clause 2(e) of the Bombay Foodgrains Control Order, 1947 and the Indian States Foodgrains Control Order. 1948, respectively.

A revised draft notification in place of the notification at page 67 is also sent herewith

Sd/ 12-8

Additional Secretary to Government.

U.R. to C.C.D. , No. 444- Confl. , dated the 12th August 1948.

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Civil Supplies Department.
Bombay Castle, August 1948.

ORDER.

Essential Supplies (Temporary Powers) Act, 1946.

No. 354/(N.S)/II- In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946, (XXIV of 1946,) read with the Government of India, Department of Food, Notification No. PY 603(20-I, dated the 21st October 1946 and with the Government of Bombay, Civil Supplies Department Notifications No. 1016/II, dated the 1st June 1948, No. 1016/II, dated the 5th June 1948 and No. 1020/II, dated the 14th June 1948, the Government of Bombay is pleased, with the concurrence of the Central Government, to make the following Order, namely :-

1. (i) This Order may be called the Bombay Border Areas (Foodgrains Restrictions) Order, 1948.

(II) It extends to the whole of the Province of Bombay and also to the Indian States specified in Schedule I to this Order.

(iii) It shall come into force on such date and in such district and such Indian State or part thereof, as the ~~Bombay~~ Provincial Government may, by notification in the Official Gazette appoint and specify in this behalf.

2. In this Order, unless there is anything repugnant in the subject or context.

(a) "Border area" means the area within a belt of 10 miles inside the boundary of the district or Indian State or part thereof in which this Order has been brought into force under sub-clause (iii) of clause 1 and which is adjacent to the area of any other Province or Indian State.

(b) "Specified foodgrains" means the foodgrains specified in Schedule I to this Order.

3. No person shall transport or offer for transport or cause to be transported, within or through any border area, any of the specified foodgrains in excess of 10 seers,

except under a permit issued in that behalf by the Director of Civil Supplies, Bombay.

4. Applications for permits to transport specified foodgrains shall be made in writing to the Director of Civil Supplies, Bombay and shall contain full and true particulars of the following.

(i) Name of consignor;

(ii) Name of consignee;

(iii) quantity and nature of consignment;

(iv) Railway station of despatch (including the district or State in which situated);

(v) Railway station of destination (including the district or State in which situated);

(vi) Price if any, at which the foodgrains included in the consignment have been sold.

5. Where any specified foodgrains are transported by rail in accordance with a permit issued under clause 3, the permit shall be returned by the consignor, to the Director of Civil Supplies, Bombay, on completion of the despatch of the quantity therein mentioned with the entries in respect of each consignment, showing the quantity despatched and the date of despatch, duly certified by the Station Master on the permit.

6. Where any specified foodgrains are transported otherwise than by rail in accordance with a permit issued under clause 3, the permit shall, unless different instructions are given by the issuing authority for being complied with by the consignor, be returned by the consignor to the authority issuing the permit within three days of the date of despatch, with an endorsement by the Mamletdar about the despatch of the consignment.

7. Where any permit issued under clause 3 has not been utilised, the holder of the permit shall return it to the

authority issuing it immediately after the expiry of the period for which it is issued.

8. Nothing in this Order shall apply to the transport of specified foodgrains --

(a) under and in accordance with military credit notes;

(b) under and in accordance with an order of the Director of Civil Supplies, Bombay, or any officer authorised by the Provincial Government in this behalf.

9. (1) With effect from the date on which this Order comes into force in any district or in an Indian State or part hereof the Bombay Foodgrains Food Control Order, 1947, in the case of a border area situated in a district, and the Indian States Foodgrains Control Order, 1948, in the case of a border area situated in an Indian State, shall have effect as if -

(a) In sub-clause (d) of clause 2 of the Bombay Foodgrains Control Order, 1947, and in sub-clause (e) of clause 2 of the Indian states Foodgrains Control Order, 1948, for the figures and word "20 maunds " thefigure and word "5 maunds" were substituted ;

(b) In sub-clause (e) of clause 2 of the Bombay Foodgrains Control Order, 1947, and in sub-clause (f) of clause 2 of the Indian State Foodgrains Control Order, 1948 for the figures andword "20 maunds" the figures and word "10 maunds" were substituted.

(c) In sub-clause (2) of clause 3 of the Bombay Foodgrains Control Order, 1947, and of the Indian States Foodgrains Control Order, 1948, for the figures and word "50 maunds" the figures and word "10 maunds" were substituted;

(d) In condition 5 of form A in Schedule II to the Bombay Foodgrains Control Order, 1947, and in condition 5 of form A in Schedule VI to the Indian States Foodgrains Control Order, 1948, for the figures and word "20 maunds"

the figure and word "5 maunds" were substituted.

(2) Every licence issued under the Bombay Foodgrain Control Order, 1947, and the Indian States foodgrains Control Order, 1948, and in force on the date of the coming into force of this order in any district or any Indian State or part thereof shall, notwithstanding the provisions of the respective Order, be deemed to have been issued unde the Provision as amended by sub-clause (1) and shall have force accordingly.

10. If any person contravenes any provision of this Order then without prejudice to any other punishment to which he may be liable, any Court trying the offence shall order that any stock of foodgrains, together with thepackages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed shall forak forfeited to His Majesty, unless for reasons to be recorded in writing theCourt is of theopinion that the direction should not be made inrespect of the whole, or as t case may be, a part of such foodgrains.

Schedule I

(Here insert the States to which the Ord is intended to be extended under sub-clause (iii) of clause 1 of the Order).

Schedule II.

Paddy.	)	
Rice.	)	
Wheat.	)	either whole or broken or the
Jower.	)	flour,
Bajri.	)	
Barley.	)	
Maize, and	)	
Ragi.	)	

By order of the Governor of Bombay.

Joint Secretary to Governemnt.

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Civil Supplies Department.

Bombay Castle, August 1948.

Notification.

No. 354/(N.S.)/II. In pursuance of sub-clause (iii) of clause 1 of the Bombay Border Areas (Food, rains Restrictions) Order, 1948, the Government of Bombay is pleased to direct that the said Order shall come into force in the following districts and Indian States with effect from the date of this notification :-

Districts.

Ahmednagar,

East Khandesh,

Nasik.

Sholapur

Bijapur.

Dharwar.

Indian States.

(Here enter Indian States out of those specified in Schedule I of theprincipal Order into which the provisions are to be brought into force).

By order of theGovernor of Bombay,

Joint Secretary to Government.

S.C. 31/5

Civil Supplies Department.

Bombay Castle, 1948.

ORDER.

Essential Supplies (Temporary Powers) Act, 1946.

No. 925/II.- In exercise of the powers conferred by section I of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with the Government of India, Department of Food, Notification No. PY-603(2)-I, dated the 21st October 1946, and with the Government of Bombay No. 1016/II, dated the 5th June 1946 and No. 1020/II dated 14th June 1948. the Government of Bombay is pleased, with the concurrence of the Central Government to make the following Order, namely,

1.(a) This Order may be called the Bombay Ricegrowing Areas (Removal and Regulation of Sale) Order, 1948.

(b) It extends to the whole of the Province of Bombay including the integrated States, except the areas in which the Bombay rationing Order, 1943, is in force.

(c) It shall come into force immediately in the areas specified in the Schedule A.

2. In this Order, unless there is anything repugnant in the subject or context,

(a) "agriculturist" means a person who is actually in possession of agricultural land whether as an occupant, tenant, or otherwise and includes a company, a joint family and a group of persons in joint actual possession.

(b) "Foodgrains" means paddy and rice either whole or broken and its flour including any of their products.

(c) "Schedule" means a schedule annexed to this Order.

(d) "Superior holder" has the same meaning as in the Bombay Land Revenue Code, 1879.

S.C. 31.

3. No person other than a person holding a valid licence under the Bombay Foodgrains Control Order, 1947, the Bombay Retail trade Control and licensing Order, 1947, or theIndian States Foodgrains Control Order, 1948, or the Indian States Retail Trade Control and licensing Order, 1948, shall sell or otherwise dispose of any foodgrains except to the Provincial Government or to an officer authorised by it in this behalf, except under and in accordance with a permit granted by the District Magistrate or Chief Administrator or any officer, not below the rank of a Mahalkari or of an equivalent officer in the State areas, authorised by the District or Chief Administrator, as the case may be :

Provided that nothing in this clause shall apply to the sale or disposal of the said foodgrains --

(1) by an agriculturist --

(a) to any other person resident in the same village for that person's bona fide consumption upto 3 lbs by weight or 2 seers by measure at a time : or

(b) to a village artisan or other person entitled to receive foodgrains as a customary remuneration for services; or

(c) as wages in kind to a labourer employed by the agriculturist ;

(ii) by way of the recoveries in kind --

(a) by any approved Grain Bank managed or recognised by the Revenue or co-operative Department of advances made by it in kind its members, together with the interest or other accretion agreed upon;

(b) by a superior holder from agriculaturist

advances made to him in kind, provided such recoveries are not in excess of the quantity advanced.

4. (1) No person shall remove or cause to be removed by rail, road, water or otherwise, any foodgrains from the Revenue limits of any village (hereinafter referred to as the said village)to any place within the areas in any district, including the states or parts thereof integrated with that district for any purpose, except under and in accordance with a permit granted by the District Magistrate or the Chief Administrator or the Supply Officer concerned;

Provided that a permit may be granted by --

(i) a Revenue Patil or Talathi or an equivalent Officer in the State areas if such removal is to any place outside such limits in the Taluka in which the said village is situate or to which the said village is situate or in which the said village is attached, for the purpose of the persual consumption of himself or his family, or for sowing;

(ii) a Mamlatdar or Mahalkari or an Administrator if such removal is to any place outside such limits in a taluka or in mahal other than the taluka or mahal in which the said village is situate or to which the said village is attached, for the purpose of the personal consumption of himself or his family or for sowing;

Provided that nothing in this sub-clause shall apply to --

(i) the removal of unthreshed grain for the purpose of threshing from one village to another village adjoining it,

S.C.

(ii) the removal of any foodgrains not exceeding 3 lbs. or 2 seers by measure - time required for personal consumption;

(iii) the removal by a person of foodgrains, drawn from a Government authorised shop to his place of residence;

(iv) the removal of foodgrains and exceeding 4 payless or 26 lbs. at a time for thepurpose of milling.

(2) A permit under this clause shall be in the form specified in the Schedule B.

5. If any person contravenes any provision of this order, thanwithout prejudice to any other punishment to which he may be liable, any court trying the office shall order that any stock of the foodgrains, together with the packages and coverings thereof in respect of which the court is satisfied that the offence has been committed shall be forfeited to His Majesty, unless for reasons to be recorded i writing the court is of the opinion that the direction should notbe made in respect of the whole of as the case may be, a part of the foodgrains.

SCHEDULE A

District. Area in the District.

SCHEDULE B.

Form ofpermit.

Mr. / Mrs. is hereby permitted

to remove bags of / Maunds / payless

from village Taluka to village

taluka within .....

days of the issue of this permit.

Legal Department.

Two revised draft Orders are sent herewith. The Civil Supplies Department should fill in the particulars in the Schedules of the two Orders before they are issued.

2. Para. 4 of C.S.D. note, dated 9-10-48. Proviso to sub-section (1) of section 7 of the Essential Supplies (Temporary Powers) Act, 1946, provides that where the contravention is of an Order relating to foodstuffs which contains an express provision inthis behalf. the Court shall direct that any property in respect of which the Order has been contravened shall be forfeited to His Majesty, unless for reasons to be recorded in writing it is of opinion that the direction should not be made in respect of the whole, or, as the case may be, a part, of the property. It is true that the coverings and packages are not foodgrains themselves. But since they are used for thepurpose of keeping foodgrains in respect ofwhich an order has been contravened there is no objection to providing that the coverings and packages together with the foodgrains shall be forfeited to His Majesty.

Sd/ 14-10

Additional Secretary to Government.

U.R* to Jt. Secy. C.S.D. (Mr. A.L.Dias), No. 233-L dated 14th October 1948.

S.C. 31/5

..vil Supplies Department.

Bombay Castle, October 1948.

ORDER.

Essential Supplies (Temporary Powers) Act, 1946.

No. 921(Districts)/II.- In exercise of the powers conferred by section 3 of the Essentials Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with the Government of India, Department of Food Notification No. PY. 603(2)/I. dated the 21st October 1946, and read with Government Orders specified in the margin, the Government ~~of~~ of Bombay is pleased with the previous

Government Notifications in the Civil Supplies Department:
(i) No. 1016/II, dated the 1st June, 1948,
(ii) No. 1016/II, dated the 5th June 1948, and
(iii) No. 1020/II, dated the 14th June 1948.

~~with~~ concurrence of the Central Government, to ~~m~~ make the following Order, namely :-

1. No person shall transport, offer for transport of cause to be transported by rail, road, water or air, paddy or rice, either whole or broken or their floor or any products thereof, from any place within the limits of any of the areas specified in the Schedule annexed hereto to any place in India outside such limits, except under and in accordance with the conditions of a permit issued by.

(a) in the case of an area situate in the Province of Bombay, by the District Magistrate concerned or any officer authorised by him in this behalf. and

(b) in the case of an area situate in an Indian State specified in the Orders noted in the margin, by the chief Administrator or any officer authorised by him in this behalf.

Provided that no such permit shall be

in respect of paddy or rice transported on behalf of Government or under or in accordance with Military Credit Notes.

2. Any court trying a contravention of this Order may direct that any stocks of paddy or rice in respect of which it is satisfied that the Order has been contravened shall, together with packages, andcoverings thereof, be forfeited to His Majesty.

SCHEDULE

By order of the Governor of Bombay,

Joint Secretary to Government.

S.C. 31/5

Attention is invited to Form II intheSchedule to the Bombay Rice Mills Licensing Order, 1943. Par 1. of clause 4 of that licence Form provides for the manner in which rice shall be processed; para. 2 the provides that the licensee shall not mill rice exce in accordance with the directions given in para. 1 e such directions as may be given by the Director of Civil Supplies Bombay, by a general or special orde L.L.A. in his opinion No. 1338 dated the 10th Februa 1947 observed that the words "such directions as may be givenby the Director of Civil Supplies, Bombay, by a special or general Order, were very wide and, therefore, there was no objection to theDirector of Civil Supplies issuing a special or general directi under thesaid provisions of para. 2 requiring the mills not to give any polish to rice. The L.L.A. in his opinion No. 5894 dated the 5th June 1947 pointed out that the proposed notification on p. 25 of C.S File slipped 9 was intra vires, and that the view taken by the District Judge, Surat, that the notifn. No. 98/II dated the 12th February 1944 issued under clause (a) of rule 81(2) of theDefence of India Rul cas, after 1-10-46, become inoperative, was not correct. Attention is also invited to R.L.A.'s No 2400 dated the 11th March 1948 and his note dated 25th May 1948 (cf. also 1947 F.C.R. p. 17) C.S.D observe that the R.L.A.'s noted are not quite cl about the draft having been approved by him. Th draft on p. 89 written in hand is, therefore, to this Deptt. for scrutiny.

2. A revised draft Order is sent herewit Order should be served on all persons holdi licence under the Bombay Rice Mills Licens 1943.

S.C. 1/6

Legal Department.

A revised draft Order is sent herewith. The Order should be served on all persons holding licence under the Bombay Rice Mills Licensing Order, 1945.

Sd/- 13-11

Additional Secretary to Government.

U.R* to C.S.D. No. 10661 dated the 13th November 1948.

S.C. 4 Copies

1/6.

ORDER.

No. . In pursuance of the provisions of clause 4 of the licence in Form II if the Schedule to the Bombay Rice Mills Licensing Order, 1943, I hereby direct that no person holding a licence issued under the said Order shall mill rice in such manner as to give it any degree of polish.

Director of Civil Supplies.
Bombay

Dated November 1948.

BM.
13-11.

S.C. 4 Copies
1/6

Office of the R.L.A.

A revised draft order is sent herewith.

The order contemplates applications by three classes of persons and accordingly three separate definitions of "resident card holder","resident card Held—" at an establishment" and "resident " have been drafted and inserted inthe draft order.

According to theinstructions given by H.M. (L theorder is made applicable to the whole of the Province of Bombay with a provision for bringing i into force atonce in the City of Bombay and the Bombay Suburban District and in any other local area on such date as the Provincial Government may by a notification in the Official Gazette specify.

It is presumed that the intention is to bring the order in force in the Bombay Suburban District as constituted immediately before thelst day of October 1945. Accordingly a definition of "Bombay Suburban District" to that effect is inserted in the draft order.

From theapplication forms informally obtained from the C.S.D. it wouldappear that these forms provide for a declaration that the applicant and the members of his family have been residing in the rationed area for a period of not less than three months immediately preceding the date of the application and are likely to reside therein for a further period of not less than six months from the said date. As directed by H.M. (L), thedefinitions of "resident card holder", "resident at an establishment" and"resident" are drafted so as to be in consonance with these declarations. In view of the definition "resident at an establishment" it will be necessary forthe C.S.D. to delete the word "permanent" from the application form intended

for residents at establishemnts.

Since the proposed order is intended to call for application for obtaining ration cloth, the question of obtaining a ration document does not arise. Clause 3 of the Controller of Rationing's draft Order has therefore been deleted from the revi revised draft and provision for giving correct infor mation in the application has been made in clause 6 c of the revised draft order.

In cases where ration cards of the head of the family and of the members of the family are register ed with more than one authorised retail distributer, provision is made for separate applications by the head of the family andhot by the eldest member of the family as it is possible that the eldest member of the family in such cases may be a minor.

As regards portion marked "B" on p. 3 ante, attention is invited to sub-clause (2) of clause 3 of the revised order. According to that sub-clause it will be necessary for the Controller of Rationing to notify duly the place and week during which the applications are to be made.

The Office of the Controller of Rationing is requested to verify whether the revised draft order is suitable and carries out its intention.

P.M.Lad

Remembrancer of Legal Affairs.

U.R. to Controller of Rationing, No. 9593

dat d the 13th October 1948.

S.C. 1/6

NOTIFICATION.

Civil Supplies Department.

Bombay Castle, October 1948

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t, 1946.

No. .- In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary) Powers) Act, 1946 (XXIV of 1946), read with Government of India, Department of Industries and Supplies, Notification No. 73/I-TA/ 46, dated the 28th December 1946, the Government of Bombay ispleased to make thefollowing order,namely .-

1. (1) This order may be called the Bombay Cloth Rationing (Application and inquiry) Order, 1948.

(2) It extends to the whole of theProvince of Bombay.

(3) It shall come into force at once in the City of Bombay and the Bombay Suburban District; The Provincial Government may further by notification in the Official Gazette direct that it shall come into force in any other local area on such date as may be specified in such notification.

2. In this Order; unless there is anything repugnant in the subject or context

(1) "authorised retail distributor" means a retail dealer authorised under the provisions of clause 3 of the Bombay Rationing Order, 1943 :

(2) "Bombay Suburban District" means the Bombay Suburban District as constituted immediately before the 1st day of October , 1945.

(3) "Cloth" means any type of cloth manufactured either wholly from cotton, or partly from cotton and partyly from any other material but does not include --

(i) ready made clothing other than dhoties and sarees;
(ii) hosiery ;
(iii) leather cloth and inferior or imitation leather cloth ordinarily used in book-binding ;
(iv) tracing paper ;
(v) cloth manufactured partly from cotton and partly from wool and containing 40 per cent. or more of wool by weight;

(vi) rubberised or synthetic water-proof fabrics whether single-textured or double-textured;

(4) "establishment" means an establishment for which a foodgrains ration permit has been issued under the Bombay Rationing Order, 1948;

(5) "establishment manager" means the person in charge of an establishment;

(6) "mill made cloth" means ~~the person in charge of an~~ establishment; cloth manufactured in a textile mill but does not include anything made on handlooms or power-looms;

(7) "rationed area" means a local area inwhich this Order has come into force ;

(8) "ration card" means a foodgrains ration card forhouse-hold consumption issued under the provisions of the Bombay Rationing Order, 1943, for a period of not less than six months, notbeing a supplementary foodgrains ration card for manual labour andvalid for the time being ;

(9) "rationed cloth means --

(a) mill made cloth of thefollowing kinds manufactured in India;

(i) dhoties

(ii) sarees,

(iii) mulls, dorias voiles (whether plain, printed or processed),

(iv) coatings, and

(v) shirtings (other than grey shirtings);

(b) any other kind of cloth which the Provincial Government or an officer authorised by the Provincial Government in thisbehalf may by notification in the Official Gazette specify in this behalf.

Explanation.- For the purposes of this sub-~~sa~~ clause

(a) coatings shall include drills and ducks;

(b) shirtings shall include long cloth (whether plain, Printed or processed);

(10) "rationing date." means in relation to any rationed cloth such date as may be fixed by the Provincial Government

for the commencement of the rationing of such cloth;

(11) "Rationing officer" means in the City of Bombay, the Rationing Officer as defined in the City of Bombay Rationing Regulation, 1943, inthe Bombay Suburban District, theRationing Officer as defined in the Bombay Suburban. Districts Rationing Regulations, 1943, and in any other rationed area such officer as the Provincial Government may specify in this behalf;

(12) "reference-number" means the number specified by an authorised retail distributor on a ration card and which is entered in respect of such ration card in a reference register maintained by him under the directions of the Controller of Rationing, Bombay.

(13) "residentcar-holder" means a person who has for a period of not less than three months immediately preceding the date of an application made under this Order held a ration card and resided in a rationed area and who for a period of not less than six months is likely to reside in such area from such date;

(14) "residentx at an establishment" means a person who-

(i) at the time of making an application under this order resides in an establishment,

(ii) has for a period of not less than three months immediately preceding the date of such application resided in a rationed area; and

(iii) is likely to reside in such area for a period of not less than six months from such date;

(15) "resident" means a person other than a member of any Naval, Military or Air Force who--

(i) has for a period of not less than three months immedeately proceding the date of an application made under this Order resided in a rationed area.

(ii) is likely to reside in such area for a period of not less than six months from such date; and

(iii) does not hold any ration card but receive ratio

oned

foodgrains from a Naval, Military or Air Force Authority ;

(16) "Schedule" means a Schedule appended to this Order.

3. (1) To obtain rationed cloth on or after the rationing date, the head of a family who is a resident card-holder may apply in the form in Schedule A and in the manner specified in sub-clause (2), for himself and other members of the family who are a resident card-holders and whose ration card are registered with an authorised retail distributor with whom his own ration card is registered. If the ration card of any such members of the family are registered with an authorised retail distributor other than the authorised retail distributor with whom the ration card of the head of the family is registered, as many separate applications as there are authorised retail distributors with whom the ration cards of such members are registered shall be made by the head of the family in the form in Schedule A and in the manner specified in sub-clause (2)

Provided that if the head of the family is absent from the rationed area or is not living at the relevant period specified in sub-clause (2) the eldest member of the family shall make such application.

(2) An application under sub-clause (1) shall be presented either in person or through an agent to the inspector or clerk of the office of the Controller of Rationing, Bombay, along with the ration card or cards referred to in the form of the application at such place and during such week as may be notified in this behalf by the Controller of Rationing, Bombay, or if no such application has been presented during the period aforesaid it shall be presented during at such other place and during such other period as may be notified by the Controller of Rationing, Bombay, in this behalf.

(3) On presentation of an application to the Inspector or

clerk under sub-clause (2), the authorised retail distributor shall, on being required by the Inspector or the clerk, as the case may be verify if the ration cards referred to in the application are registered with him and, if so, shall certify on the application, that they are so registered specifying the reference numbers under which they are so registered. On such certification, theInspector or the clerk shall detach and hand over to the person presenting the application its counterfoil along with the ration cards produced with the application.

4. (1) A resident at an establishment may, inorder to obtain on or after the rationing date rationed cloth for himself and the members of his family, if any, who are residents at the same establishment apply in the form in Schedule B to the Rationing Officer and forward the application (hereinafter referred to as the "said application") through the establishment manager. The establishment manager shall duly fill in the certificate in the form entering therein the authorisation number of his establishment and the serial number andcode number of the food grains ration permit of the establishment, and present it either in person or through an agent together with an application in the form in Schedule C and the foodgrains ration permit to the Rationing Officer of the area in which the establishment is situated.

(2) The Rationing Officer shall return the counterfoil of the application made by the establishment manager, duly filled in, to the person presenting it.

(3) The Rationing Officer after satisfying himselfby such inquiry as he deems fit about the truth of the contents of the applications, shall completer the certificate of eligibility on the said application made by the resident of the establishment, make an endorsement on the foodgrains ration permit

of the establishment to the effect that he has done so an return the certificate of eligibility and the counterfoil of the said application to the establishment manager or his agent against production of the counterfoil of such manager application. The establishment manager shall thendeliver the said certificate ofeligibility and the counterfoil to the applicant concerned.

5. A resident may, inorder to obtain on or after the rationing date rationed cloth for himself and members of his family, if any, who are residents apply in the form in Schedule B. The application shall be presented either in person or through a agent to the Rationing Officer through the person in charge of the ration stand from which the applicant and the members of his family receive their supply of rationed foodgrains. The Rationing Officer after making such inquiry as he deems fit shall complete the certificate of eligibility on the application and then return the certificate of eligibility and the counterfoil of the application to the person presenting the application.

6. No person shall make in any application made under this Order any statement or furnish any information which is false in any material particular and which is known or has reasonable cause to believe to be false or does not believe to be true.

Schedule A
Schedule B
Schedule C
Schedule D

By order of the governor of Bombay.

Joint Secretary to Government/

To

Sir,

I am directed to forward herewith a copy of the Bombay Cotton Cloth Dealers' Licensing Order, 1948, issued by this Government on the 21st October 1948 and to invite your attention to clauses 4, 6,7 and 8 of the Order.

2. As will be seen , the Cotton Cloth Dealers' Licensing Order purports to have been made in exercise of the power under clauses (c) to (j) of sub-section (2) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946, These powers have beendelegated to the Provincial Government under the Governmentof India, Department of Industries andSupplies, Notification No. 73/I-TA/46 dated the 28th December 1946, This Government is advised that the delegated power can be exercised only with regard to matters specified in clauses (c) to (j) and that as the Provincial Government has not the full amplititude of powers given by sub-section (1) of section 3 it cannot fall back on the language of sub-section (1). The only clause to which the order can be referred is clause (d) which gives power to provide "for regulating by licenses, permits or otherwise the storage, transport, distribution, disposal, acquisition, use or consumption of any essential commodity". It may be difficult to maintain that the expression "regulating" as used in clause (d) also includes prohibition. Clause 4 of the Order does not envisage that licenses should be given to private individuals as distinguished from dealers andtherefore the prohibition directed against private individuals

would be of a nature of pure prohibition. It is therefore doubtful whether under the powers for providing regulating by licences of the distribution and disposal of Cotton Textiles the Provincial Government can take power to prohibit altogether the distribution and disposal of cotton Textiles particularly by persons to whom it is never intended to give licences. This Government is therefore advised that it may be necessary to amend clause (d) suitably or to amend sub-section (1) of section 3 of the Act by the introduction of the word "disposal" after the word "distribution" and then to secure a delegation from the Government of India of the plenary powers under sub-section (1).

3. This Government is also advised that it is doubtful whether the Provincial Government as distinguished from the officer authorised to exercise the functions and powers under clause 30 of the Cotton Textile Control Order, 1948, is competent to make provisions in the draft order of the kind contained in clauses 4, 5,6,7,&8. The authority of the Provincial Government is derived from the Notification mentioned in para 2 above and that notification imposes a condition that no order made by the Provincial Government inthe exercise of the powers given therein shall have effect in so far as it is repugnant to any order made under sub-section (1) by the Central Government. The Cotton Textile Control Order, 1948, has been made under the provisions of sub-section (1) by the Central Government and clause 30 of that Order envisages that the power to give a direction to any particular dealer or class of dealers not to sell or deliver cloth except to such person or persons and subject to such conditions is to be exercised by the Textile Commissioner and by his delegate under clause 34. A provision for the exercise of

the power by the Provincial Government [illegible]

the power by the Provincial Government requiring any particular dealer or class of dealers not to sell cloth excepting to certain persons and upon the condition of getting a licence would be directly in conflict with theprovision for a similar exercise of power contained in clause 30 of the Cotton Textile Control Order, 1948. We are accordingly advised that it would have been better if the provisions were issued under a notification by the Provincial Textile Controller acting as a delegate of the Textile Commissioner.

4. In the opinion of this Government it is absolutely necessary that the Bombay Cotton Cloth Dealers' Licensing Order should be made by the Provincial Government in the form in which it has been issued. I am, therefore, to request you to move the Governmentof India to amend the Essential Supplies (Temporary Powers) Act, 1946, and delegate the relevant powers under the Act t the Provincial Government, if such a course is considered necessary. I am to add that the licensing system will come into force from the 1st of December 1948 and therefore it is essenti that the necessary action shouldbe taken before that date.

5. A Copy oftheopinion of theRemembrancer of Legal Affairs given with reference to the Licensing Order is enclosed herewith.

Yours faithfully.

Office of the R.L.A.

A revised draft of the letter is sent herewith.

F.S.Ead.

Remembrancer of Legal Affairs.

U.R. to C.S.D. No. 10544, dated the 10th November 1948

S.C. 1/6

Civil Supplies Department,
Bombay Castle, October 1948.

No. .- In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with the Government of India, Department of Industries and Supplies, Notification No. 73/I-TA/46, dated the 28th December 1946, the Government of Bombay is pleased to amend the Bombay Cotton Cloth Dealers Licensing Order. 1948, as follows .-

In the said Order -

(a) in clause 3,-

(i) in sub-clause (1) after the word "Sholapur" the words "or at any other place" shall to inserted ; and

(ii) in sub-clause (2) the words "or from such manufacturer in the District as may be directed by the Textile Commissioner to sell such cloth to him" shall to deleted;

(b) in clause 16, for the word "Annual" wherever it occurs the words, "half yea ly" shall be substituted.

S.C. 1/6

Office of the R.L.A.

The requisite draft notification carrying out amendments in the Cotton cloth Dealers Licensing Order as suggested by the P.T.C. is sent herewith.

P.M.Lad
28-10

Remembrancer of Legal Affairs.

U.R. to C.S.D. No. 10143, dated the 28th October 1948.

S.C. 1/6

CIVIL SUPPLIES DEPARTMENT.

Bombay Castle, 24th December 1948.

ORDER,

Essential Supplies (Temporary Powers) Act, 1946.

No. 354/II.--- In exercise of thepowers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with the Government of India, Department of Food, Notification No. PY-603(2)-I, dated the 21st October 1946, the Government of Bombay is pleased to cancel the order Civil Supplies Department No. 354/II dated the 2nd March 1948.

By order of the Governor of Bom

A.L.Dias.

Joint Secretary to Government,

Submitted

Necy. note has een taken in B.G.G. pt I 1948 (March & April) on page 194-195

File in Essential Supplies 11/48 notifi.

Sd/ 29-12-48

L.C. 1/6

(Below copy of Government Notification, NCIVIl Supplies Department No. 354/I, dated 24th December 1948).

* * * * * * * * * * * * *

No. 354/I[1],
Civil Supplies Departmen
Bombay Castle, 24th Decem
1948.

Forwarded to the Manager, Government Central Press, Bombay, with a request to publish the Notification in theBombay Government Gazette Part I Extraordinary dated the 24th Decembe 1948.

2. These thousand copies of the Notification may be sent to this Office very urgen ly for distribution and departmental use.

Sd/
Deputy Director of Civil Suppl
(Districts), Bombay.

Copy, with a copy of the Order, forwarded to .-

All Collectors (except Bombay and Bombay Suburban Districts), Bombay
All District Superintendents of Police,
All Commissioners of Divisions,
The Commissioner of Police, Bombay
The Deputy Commissioner of Police, Crime Branch II, Bombay
The Deputy Commissioner of Police, Anti-Corruption
The Inspector-General of Police, Bombay Province,
The Additional Assistant to the Inspector General Police, Bombay Province,
The General Manager of G.I.P. B.B.& C.I, and M.S.M. Railways (6 Copies each),
The Controller of Rationing, Bombay,
The Food Controller, Bombay,
The Commissioner of Excise, Bombay,
The Collector of Central Excise, Bombay,
All Departments of the Secretariat,
All Branches of Civil Supplies Department,
The Presidency Magistrate, 2nd Court, Mazgaon,
The Grain Purchase Officer, Bombay,
All Provincial Governments
All State Unions,
The Government of India , New Delhi,
All States,

Sd.
Deputy Director of Civil Supp
(District), Bombay

S.C. 1/6

Legal Department
R.I.No. 7513 dt. 17-6-48.

Submitted with reference to H.D. note at p. 17 ante.

2. By G.N., H.D. No. 4576/4-E, dated the 31st May 1948, it has been ordered that notwithstanding anything to the contrary contained in the MOtor Spirit Rationing Order, 1941, on coupon or receipt of special receipt issued under the said order shall be valid in any district unless it is endorsed by one ~~xx~~ of the Officers authorised by the Government, viz. The District Magistrates, the Area Rationing Authorities at Headquarter Towns or any other officer who may be appointed in this behalf by theProvincial Government. Now the proposal is that the District Magistrates may be allowed to authorised an officer not below therank of Deputy Collector to endorse petrol coupons, For this purpose the entry No.1 in the Schedule to the said notification is proposed to be amended. A draft notification at p. 19 ante is sent to L.D. for scrutiny.

3. Section 4 of the Essential Supplies (Temporary Powers) Act, 1946 inter alia provides that the Central Government may by notified order direct that thepower to make orders under section 3 shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable by -

(a) x x x x x

(b) such Provincial Government or such Officer or authority subordinate to a Provincial Government, as may be specified in thedirection.

The amendment viz. an officer not below the rank of Deputy Collector authorised by the D.Ms., by H.D. does not appear to be legally feasible. The H.D. draft amendment ~~xx~~ is open to the objection that it delegated the power of the Provincial Government to the District Magistrates. Section 4(b) contemplates that the persons to be authorised should be specified in the order, either

by name or by designation. The matter cannot be left to be determined by the District Magistrates. The H.D. may forward a fresh draft notification for scrutiny after specifying the persons to be authorised, either by name or by designation (Cf. H.L.A.'s opinion No. 4308 dtd 4th May 1948).

The opinion No. 430 dt. 4-5-1948 is not applicable to this case.

2. The point raised by Mr. Bora has been considered in H.L.A.'s opinion No. 9726, dated the 6th October 1947 wherein it is held that the exercise of any power under an order made under section 3 of the Essential Supplies (Temporary Powers) Act. 1944, does not amount to the exercise of the powers of making an order itself under the section.

3. The only difficulty in inserting the words now proposed in the Schedule is that whereas clause (1) of the principal order states that the Officers mentioned in the Schedule shall validate the coupons etc. the Schedule in fact does not now specify the officer but leaves it to the D.M. to specify when the necessity arises. Clauses (1) and (2) of the order, instead of the Schedule require to be amended. A revised draft order is sent herewith accordingly.

4. There is another flaw in the principal order (which was not shown to the H.L.A. before issue) that there is nothing in the order to show, as explained in the Press note at p. 9 ante.

(i) firstly, that it is to remain dormant use an emergency arises, and

(ii) that it is not to apply to Greater Bombay.

On the contrary it has come into operation with effect from the 31st May 1948.

5. H.D. should consider whether in view of what is stated above the Order need not be modified to accord with the intention as explained in the Press note at p. 9 ante.

Returned by the Addl. Secy. for noting further on the point below.

The Proposal in the present case is that either a D.M.. or in his absence, an officer authorised by him (who should not b e below the rank of a Deputy Collr.) should endorece the ~~xxx~~ coupon etc. issued under the Motor Spirit Rationing Order 1941.

2. The question whether a Provincial Govt. ca can, while making an order under sec. 3 of the Essential Supplies (Temporary Powers) Act. 1946, p provide in such order that the officer specified therein can further authorise any other officer to do certain function to be performed by the first mentioned officers ~~under~~, was not specifically considered by theR. .A. in the past

But under the draft order supplied under R.L.A.'s U.R.No. 7316, dt. 16th July 1947, it is provided as follows .-

(1) the D.M. may authorise ~~xxx~~ any person in respect of any area within the jurisdiction t to paint on or affix to any premises in that area such letters, marks, etc. as may be necessary for facilitating their identification".

3. Similar provision is found in various orders (slipped in the booklet below* where the specified functio or power is to be performed or exercised by him. Since the first note was written, it is now found that by the G. of I. Ministry of Works Mines andPowers' notfn. No.W~~xx~~(P.D.) 505(3), dated 14th June 1948 (Gazette received in L.D. on the 25th June 1948), theD.Ms. have also been aut orised by the Cenral Govt. to make orders under sec. 3 'oftheAct in relation to Motor Spirit but thePrevincial Govt. is not even now d ~~xx~~ed

* either by the officer named or any officer aut orised *-

of its power to make an order under sec. 3 . As the question whether under section 3 of the Essential Supplies (T.P.) Act, 1946, a Provincial Govt. can further empower a D.M. to authorize certain other officer to do duty for him is not free from doubt, the Govt. should itself determine what officers should endorse the coupons etc. & in the absence of a L.R. from the Headquarters on tour and specify them in the Schedule of the order at p. 11 ante so that people will know to whom they are to apply for endorsement of coupons, receipt or special receipt issued under the Motor Spirit Rationing order, 1941. A revised order is sent herewith accordingly.

Reply may be A - As above.
B - B above.

S.C. 1/6

Legal Department.

The proposal in the present case is that either a District Magistrate or in his absence no officer authorised by him (who should not be below the rank of a Deputy Collector) should endorse the coupon etc. issued under the Motor Spirit Rationing Order, 1941.

2. By the Government of India, Ministry of Transport's Notification No. 6 P R (2)/47, dated the 13th September 1947, thepowers of the Central Government to make orders under section 3 of the Essential Supplies (Temporary Powers) Act, 1946. in respect of all matters relating to rationing of motor spirit have been delegated to all the Provincial Government, In virtue of this power, the Bombay Government has made an order No. 4576/42, datedthe 31st May 1948 empowering inter alia the District Magistrates to endorse the coupons and receipts or special receipts issued under the Motor Spirit rationing Order, 1941. The power to specify an officer for the said purpose cannot be delegated to a District Magistrate. Government should, therefore, decide what officers should be given the power to endorse coupons etc. in the absence of a District Magistrate on tour andshould empower them to perform those functions.

3. A requisite draft Order is appended. TheBlanks should be filled in by theH.D. after the orders on the point referred to in para 2 above are taken.

Sd/ 5-7

Additional Secretary to Government.

U.R. to H.D. No. 6310 , dated the 8th July 1948.

S.C. 1/6

NOTIFICATION.

Home Department.

Bombay Castle, 1948.

Essential Supplies (Temporary Powers) Act, 1946.

No. 4575/4. - In exercise of thepowers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), read with section 17 thereof and with the notification of the Government of India, Ministry of Transport No. 6-PR(2)/47, dated the 13th September 1947, theGovernment of Bombay is pleased to amend Government order in the Home Department , No. 4576/4-B, dated the 31st May 1948. as follows , namely .-

In the entry (1) of the Schedule to the said Order, after the word "Magistrates" the words "or during their absence on tour from Headquarters, Here insert the designation of officers intended be authorised shall be inserted.

By order of the Governor of Bombay

Secretary to Government.